

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, MARCH 16, 2004

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JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 16, 2004

The Senate met in regular session at 8:33 a.m., President Lamberti presiding.

Prayer was offered by the Reverend Mark Urlaub, pastor of the Bethlehem Evangelical Lutheran Church in Vinton, Iowa. He was the guest of Senator Putney.

The Journal of Monday, March 15, 2004, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 15, 2004, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2059](#), a bill for an act relating to and making appropriations of birth certificate fees for the birth defects registry and child abuse prevention programs, and providing an effective date.

[Senate File 2112](#), a bill for an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, and the keep Iowa beautiful fund, and providing for the nonreversion of certain moneys.

[Senate File 2261](#), a bill for an act providing penalties for specified liquor control violations involving a retail liquor control license, wine permit, or beer permit.

ALSO: That the House has on March 15, 2004, **amended and passed** the following bill in which the concurrence of the House was asked:

[Senate File 2070](#), a bill for an act relating to duties and activities of the state department of transportation, including the registration and titling of motor vehicles, regulation of electric personal assistive mobility devices, and issuance of commercial driver's licenses, and providing effective dates. ([S-5097](#))

ALSO: That the House has on March 15, 2004, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2493](#), a bill for an act relating to regulation of sales at unused property markets and providing penalties.

Read first time and referred to committee on **State Government**.

[House File 2505](#), a bill for an act providing for the selling of alcoholic beverages, wine, or beer on credit by a convention center, civic center, or events center under specified circumstances.

Read first time and referred to committee on **Judiciary**.

RECESS

On motion of Senator Iverson, the Senate recessed at 8:38 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 8:40 a.m., President Lamberti presiding.

The Senate stood at ease at 8:41 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:13 a.m., President Lamberti presiding.

BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that [Senate File 2268](#) be referred from the Regular Calendar to the committee on **State Government**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Houser, until he returns, on request of Senator Veenstra; and Senator Holveck, until he returns, on request of Senator Gronstal.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2290](#).

[Senate File 2290](#)

On motion of Senator Veenstra, [Senate File 2290](#), a bill for an act relating to economic development incentives under the new jobs and income program, the new capital investment program, and the enterprise zone program and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Veenstra offered amendment [S-5096](#), filed by him from the floor, to pages 1, 2, 4, 6, and 8 of the bill, and moved its adoption.

Amendment [S-5096](#) was adopted by a voice vote.

Senator Veenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2290](#)), the vote was:

Yeas, 45:

Angelo	Fraise	McCoy	Shull
Beall	Gaskill	McKibben	Sievers
Behn	Gronstal	McKinley	Stewart

Black	Hatch	Miller	Tinsman
Boettger	Horn	Putney	Veenstra
Bolkcom	Hosch	Quirnbach	Ward
Brunkhorst	Iverson	Ragan	Warnstadt
Connolly	Johnson	Redfern	Wieck
Courtney	Kettering	Rehberg	Zieman
Dotzler	Kibbie	Schuerer	
Drake	Lamberti	Seng	
Dvorsky	Lundby	Seymour	

Nays, 2:

Dearden Kreiman

Absent, 3:

Holveck Houser Larson

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate File 2290](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:36 a.m. until 4:00 p.m.

APPENDIX — 1**APPOINTMENTS**

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR**TERM**

ACCOUNTANCY EXAMINING BOARD (Sec. 542.3)	
Susan Loy, Cedar Falls	05/01/2004 – 04/30/2007
Carol Schuster, De Witt	05/01/2004 – 04/30/2007
Wesley Stille, Storm Lake	05/01/2004 – 04/30/2007
STATE OF IOWA ADJUTANT GENERAL (Sec. 29A.11)	
Gilbert “Ron” Dardis, Johnston	05/01/2004 – Pleasure of the Governor
COMMISSION ON THE STATUS OF AFRICAN-AMERICANS (Sec. 216A.142)	
Beverly Allen, Des Moines	05/01/2004 – 04/30/2008
Jamie Howard, Davenport	05/01/2004 – 04/30/2008
Thomas Simmons, Adel	05/01/2004 – 04/30/2008
Loretha Teggatz, Fort Dodge	05/01/2004 – 04/30/2008
Jerome Thomas, Dubuque	05/01/2004 – 04/30/2008
AGRICULTURAL DEVELOPMENT AUTHORITY (Sec. 175.3)	
Cheryl Adam, Batavia	05/01/2004 – 04/30/2010
Evelyn Rank, Clarinda	05/01/2004 – 04/30/2010
Jayne Unga, Boone	05/01/2004 – 04/30/2010
ALCOHOLIC BEVERAGES COMMISSION (Sec. 123.5-6)	
Carolyn Cavitt, Iowa City	05/01/2004 – 04/30/2009
ARCHITECTURAL EXAMINING BOARD (Sec. 544A.1)	
Dale McKinney, Sioux City	05/01/2004 – 04/30/2007
Susan McKinney, Colo	05/01/2004 – 04/30/2007
BOARD OF ATHLETIC TRAINING EXAMINERS (Sec. 147.14(18))	
Edward Crowley, Iowa City	05/01/2004 – 04/30/2007
Brett Raasch, Ankeny	05/01/2004 – 04/30/2007
BOARD OF BARBER EXAMINERS (Sec. 147.14(1))	
Stuart Preston, Sioux City	05/01/2004 – 04/30/2007
BOARD OF BEHAVIORAL SCIENCE EXAMINERS (Sec. 147.14(13))	
James Anastasi, Clear Lake	05/01/2004 – 04/30/2007
Linda Nebbe, Cedar Falls	05/01/2004 – 04/30/2007

COMMISSION FOR THE BLIND (Sec. 216B.2) Douglas Elliott, Grinnell	05/01/2004 – 04/30/2007
IOWA CAPITAL INVESTMENT BOARD (Sec. 15E.63) Burt Chojnowski, Fairfield	05/01/2004 – 04/30/2009
BOARD OF CHIROPRACTIC EXAMINERS (Sec. 147.14(8)) Rod Rebarcak, Ames	05/01/2004 – 04/30/2007
CITY DEVELOPMENT BOARD (Sec. 368.9) Dennis Plautz, Fort Dodge	05/01/2004 – 04/30/2010
EXECUTIVE DIRECTOR OF THE IOWA STATE CIVIL RIGHTS COMMISSION (Sec. 216.3) Ralph Rosenberg, Ames	03/29/2004 – Pleasure of the Governor
COMMISSION ON COMMUNITY ACTION AGENCIES (Sec. 216A.92A) Lois Eichacker, Fort Madison Bob Knowler, Sioux City Marc Lindeen, Mount Pleasant Tammy Wetjen-Kesterson, Marengo Catherine Whitfield, Des Moines	05/01/2004 – 04/30/2007 05/01/2004 – 04/30/2007 05/01/2004 – 04/30/2006 05/01/2004 – 04/30/2006 05/01/2004 – 04/30/2007
BOARD OF COSMETOLOGY ARTS AND SCIENCES EXAMINERS (Sec. 147.14(14)) Becky Brockmann, Hartley Jack Morlan, Des Moines	05/01/2004 – 04/30/2005 05/01/2004 – 04/30/2007
CREDIT UNION REVIEW BOARD (Sec. 533.53) Paul Becker, Fort Dodge Becky Hansen, De Witt	05/01/2004 – 04/30/2007 05/01/2004 – 04/30/2007
COMMISSION ON THE DEAF (Sec. 216A.112) Tina Lynch, Clutier Kathy Miller, Honey Creek Karen Potter-Maxwell, Council Bluffs	05/01/2004 – 04/30/2006 05/01/2004 – 04/30/2007 05/01/2004 – 04/30/2007
BOARD OF DENTAL EXAMINERS (Sec. 147.14(4)) Deena Kuempel, Cedar Rapids Richard Reay, Johnston Peter Vidal, Garner	05/01/2004 – 04/30/2007 05/01/2004 – 04/30/2007 05/01/2004 – 04/30/2007
BOARD OF DIETETIC EXAMINERS (Sec. 147.14(11)) Jean Anderson, Ames	05/01/2004 – 04/30/2007
IOWA DRUG POLICY ADVISORY COUNCIL (Sec. 80E.2) Ed Barnes, Des Moines Douglas Book, Forest City	05/01/2004 – 04/30/2008 05/01/2004 – 04/30/2008
IOWA ECONOMIC DEVELOPMENT BOARD (Sec. 15.103) Linda Bloodsworth, Davenport Julie Carlson, Spencer Jerry Courtney, Burlington	05/01/2004 – 04/30/2008 05/01/2004 – 04/30/2008 02/24/2004 – 04/30/2005

ECONOMIC DEVELOPMENT MARKETING BOARD (Sec. 15G.109)

David Bernstein, Sioux City	05/01/2004 – 04/30/2007
Chris Harshbarger, Cedar Falls	05/01/2004 – 04/30/2007

DIRECTOR OF THE IOWA DEPARTMENT OF EDUCATION (Sec. 256.8)

Frederick (Ted) Stilwill, Clive	05/01/2004 – Pleasure of the Governor
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STATE BOARD OF EDUCATION (Sec. 256.3)

Rosemarie Hussey, Mason City	05/01/2004 – 04/30/2010
Jonathan Wilson, Des Moines	05/01/2004 – 04/30/2010

COMMISSION OF ELDER AFFAIRS (Sec. 231.11)

Kathleen Buckwalter, Iowa City	02/25/2004 – 04/30/2007
Lisa Carlson, Davenport	02/18/2004 – 04/30/2005
Hazel Chuck, Mason City	05/01/2004 – 04/30/2008
Craig Downing, Sigourney	05/01/2004 – 04/30/2008

IOWA EMERGENCY RESPONSE COMMISSION (Sec. 30.2)

Susan Lagneaux, Urbandale	05/01/2004 – 04/30/2007
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EMPLOYMENT APPEAL BOARD (Sec. 10A.601)

John Peno, Carlisle	05/01/2004 – 04/30/2010
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IOWA EMPOWERMENT BOARD (Sec. 28.3)

Scott Beall, Waverly	05/01/2004 – 04/30/2007
Christopher Carman, Cedar Rapids	05/01/2004 – 04/30/2006
Sally Hartley, Salix	05/01/2004 – 04/30/2007
Darshini Jayawardena, Mason City	05/01/2004 – 04/30/2007
Douglas Peters, West Des Moines	05/01/2004 – 04/30/2006

ENGINEERING AND LAND SURVEYING EXAMINING BOARD (Sec. 542B.3)

Patricia Heagel, Sioux City	05/01/2004 – 04/30/2007
Dennis Osipowicz, Fort Madison	05/01/2004 – 04/30/2007

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD (Sec. 68B.32)

Betsy Roe, Pella	05/01/2004 – 04/30/2010
John Walsh, Dubuque	05/01/2004 – 04/30/2010

EXECUTIVE DIRECTOR OF THE IOWA FINANCE AUTHORITY (Sec. 16.6)

Michael Tramontina, Des Moines	05/01/2004 – Pleasure of the Governor
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IOWA GRAIN INDEMNITY FUND BOARD (Sec. 203D.4)

Edwin Hershberger, Kalona	05/01/2004 – 04/30/2007
Thomas Kaldenberg, Albia	05/01/2004 – 04/30/2007

GROW IOWA VALUES BOARD (Sec 15G.102)

Gerald Kirke, West Des Moines	05/01/2004 – 04/30/2007
Toby Shine, Wahpeton	05/01/2004 – 04/30/2007

HEALTHY AND WELL KIDS IN IOWA (HAWK-I) BOARD (Sec. 514I.4)

John Baker, Waterloo	05/01/2004 – 04/30/2006
Wanda Wyatt-Hardwick, Clinton	05/01/2004 – 04/30/2006

BOARD FOR THE LICENSING AND REGULATION OF HEARING AID

DISPENSERS (Sec. 154A.2-3)

Gregory Hoyman, Emmetsburg	05/01/2004 – 04/30/2007
Gregory Moore, Ottumwa	05/01/2004 – 04/30/2007

IOWA HIGHER EDUCATION LOAN AUTHORITY (Sec. 216A.6)

Stephanie Savage, Dubuque	05/01/2004 – 04/30/2010
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INFORMATION TECHNOLOGY COUNCIL (Sec. 14B.105)

Mary Elizabeth Brandsgard, Davenport	05/01/2004 – 04/30/2008
Sandra Glenn, Cedar Falls	05/01/2004 – 04/30/2008
Timothy Lapointe, Mason City	05/01/2004 – 04/30/2008

IOWACCESS ADVISORY COUNCIL (Sec. 14B.201)

Sheila Castaneda, Dubuque	05/01/2004 – 04/30/2008
Kelly Hayworth, Coralville	05/01/2004 – 04/30/2008
Richard Neri, Waukee	05/01/2004 – 04/30/2008
Herbert Strentz, Urbandale	05/01/2004 – 04/30/2008

INVESTMENT BOARD OF THE IPERS (Sec. 97B.8A)

Phyllis Peterson, Cedar Rapids	05/01/2004 – 04/30/2010
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LANDSCAPE ARCHITECTURAL EXAMINING BOARD (Sec. 544B.3)

Jon Crose, Urbandale	05/01/2004 – 04/30/2007
Julie Westerheim, Des Moines	05/01/2004 – 04/30/2007

IOWA LAW ENFORCEMENT ACADEMY COUNCIL (Sec. 80B.6)

Angela Bonar, Burlington	05/01/2004 – 04/30/2008
Niki Dean, Bettendorf	05/01/2004 – 04/30/2008

LOAN AND CREDIT GUARANTEE ADVISORY BOARD (Sec. 15E.226)

Martha Jane Bell, Council Bluffs	05/01/2004 – 04/30/2007
Robert Snodgrass, Creston	05/01/2004 – 04/30/2007

IOWA LOTTERY AUTHORITY BOARD OF DIRECTORS (Sec. 99G.8)

Timothy Clausen, Sioux City	05/01/2004 – 04/30/2008
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BOARD OF EXAMINERS FOR MASSAGE THERAPY (Sec. 147.14(17))

Mary Belieu, Bondurant	05/01/2004 – 04/30/2007
Cindy Pancratz, Dubuque	05/01/2004 – 04/30/2006

BOARD OF MEDICAL EXAMINERS (Sec. 147.14(2))

Blaine Houmes, Cedar Rapids	05/01/2004 – 04/30/2007
Russell Lee, Davenport	05/01/2004 – 04/30/2007
Yasyn Lee, Dubuque	05/01/2004 – 04/30/2007
Paul Thurlow, Dubuque	05/01/2004 – 04/30/2007

MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES COMMISSION

(Sec. 225C.5(1))

Russell Finken, Glenwood	05/01/2004 – 04/30/2007
Jon Grate, Davenport	05/01/2004 – 04/30/2007
Mary Hughes, Kalona	05/01/2004 – 04/30/2007

Lori Reynolds, Anamosa	05/01/2004 – 04/30/2007
Carl Smith, West Des Moines	05/01/2004 – 04/30/2007
MENTAL HEALTH RISK POOL BOARD (Sec. 426B.5(3))	
Judy Clark, Clarinda	05/01/2004 – 04/30/2007
Sally Stutsman, Riverside	05/01/2004 – 04/30/2007
BOARD OF MORTUARY SCIENCE EXAMINERS (Sec. 147.14(1))	
Margaret Eicher, West Des Moines	05/01/2004 – 04/30/2007
Eugene Siegert, Dubuque	05/01/2004 – 04/30/2007
BOARD OF NURSING EXAMINERS (Sec. 147.14(3))	
Clyde Bradley, Clinton	05/01/2004 – 04/30/2007
Jane Hasek, Reinbeck	05/01/2004 – 04/30/2007
William Miller, Harlan	05/01/2004 – 04/30/2007
STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS (Sec. 155.2)	
Margaret Beaty, Winfield	05/01/2004 – 04/30/2007
Judy Weller, Pomeroy	05/01/2004 – 04/30/2007
BOARD OF OPTOMETRY EXAMINERS (Sec. 147.14(6))	
Connie Connolly, Mason City	05/01/2004 – 04/30/2007
Christopher Olson, Mount Pleasant	05/01/2004 – 04/30/2007
BOARD OF PAROLE (Sec. 904A.1-3)	
Richard Bordwell, Washington	05/01/2004 – 04/30/2008
PEACE OFFICERS' RETIREMENT, ACCIDENT, AND DISABILITY SYSTEM TRUSTEE (Sec. 97A.5)	
Terrance Lillis, Urbandale	05/01/2004 – 04/30/2006
BOARD OF PHARMACY EXAMINERS (Sec. 147.14(5))	
Kathleen Halloran, Cedar Rapids	05/01/2004 – 04/30/2007
Michael Seifert, Urbandale	05/01/2004 – 04/30/2007
BOARD OF PHYSICAL AND OCCUPATIONAL THERAPY EXAMINERS (Sec. 147.14(10))	
Cheryl Stewart, Glenwood	05/01/2004 – 04/30/2007
Martin Unga, Urbandale	05/01/2004 – 04/30/2007
Kurt Walderbach, Mason City	05/01/2004 – 04/30/2007
BOARD OF PHYSICIAN ASSISTANT EXAMINERS (Sec. 147.14(12))	
Edward Friedmann, Redfield	05/01/2004 – 04/30/2007
Fred Strickland, Des Moines	05/01/2004 – 04/30/2007
BOARD OF PODIATRY EXAMINERS (Sec. 147.14(1A))	
Eric Jensen, Carroll	05/01/2004 – 04/30/2007
Jill Scholz, Iowa City	05/01/2004 – 04/30/2007
Matthew Wilber, Davenport	05/01/2004 – 04/30/2007

PREVENTION OF DISABILITIES POLICY COUNCIL (Sec. 225B.3)		
Claibourne Dungy, Iowa City		05/01/2004 – 04/30/2007
Scott Lindgren, Solon		05/01/2004 – 04/30/2007
Thomas Slater, Des Moines		05/01/2004 – 04/30/2007
BOARD OF PSYCHOLOGY EXAMINERS (Sec. 147.14(7))		
Francisco Barrios, Cedar Falls		05/01/2004 – 04/30/2007
Sandra Dirks, Grimes		05/01/2004 – 04/30/2007
PUBLIC EMPLOYMENT RELATIONS BOARD (Sec. 20.5)		
Neil Barrick, Johnston		05/01/2004 – 04/30/2008
M. Sue Warner, Johnston		05/01/2004 – 04/30/2008
STATE PUBLIC DEFENDER (Sec. 13B.2)		
Thomas Becker, Waukee	05/01/2004 –	Pleasure of the Governor
STATE RACING AND GAMING COMMISSION (Sec. 99D.5)		
Michael Mahaffey, Montezuma		05/01/2004 – 04/30/2007
IOWA RAILWAY FINANCE AUTHORITY (Sec. 327I.5-6)		
Jonathon Muller, Des Moines		05/01/2004 – 04/30/2010
REAL ESTATE APPRAISER EXAMINING BOARD (Sec. 543D.4)		
Richard DeHeer, Knoxville		05/01/2004 – 04/30/2007
Richard Koestner, Davenport		05/01/2004 – 04/30/2007
REAL ESTATE COMMISSION (Sec. 543B.8)		
Donald Marple, Eldridge		05/01/2004 – 04/30/2007
STATE BOARD FOR RESPIRATORY CARE (Sec. 147.14(15))		
Kerry George, Ankeny		05/01/2004 – 04/30/2007
SCHOOL BUDGET REVIEW COMMITTEE (Sec. 257.30)		
Clark Yeager, Ottumwa		05/01/2004 – 04/30/2007
SMALL BUSINESS ADVISORY COUNCIL (Sec. 15.108(7h))		
Dawn Connet, West Des Moines		05/01/2004 – 04/30/2007
James Davis, Charles City		05/01/2004 – 04/30/2006
Elizabeth Garst, Coon Rapids		05/01/2004 – 04/30/2005
Kimberly Kudrna, Cedar Rapids		05/01/2004 – 04/30/2007
Timothy Neugent, Des Moines		05/01/2004 – 04/30/2007
BOARD OF SOCIAL WORK EXAMINERS (Sec. 147.14(1))		
Lance Clemsen, Coralville		05/01/2004 – 04/30/2007
Ken Zimmerman, Mason City		05/01/2004 – 04/30/2007
STATE SOIL CONSERVATION COMMITTEE (Sec. 161A.4)		
Jody Kerns, Edgewood		05/01/2004 – 04/30/2010
BOARD OF SPEECH PATHOLOGY AND AUDIOLOGY EXAMINERS (Sec. 147.14(9))		
Jason Aird, Iowa City		05/01/2004 – 04/30/2007
Coral Jud, Knierim		05/01/2004 – 04/30/2007

IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION (Sec. 8D.3(2)) Pamela Duffy, Adel	05/01/2004 – 04/30/2010
TITLE GUARANTY DIVISION BOARD (Sec. 16.2) Catherine Hult, Bettendorf	05/01/2004 – 04/30/2007
COMMISSION ON TOBACCO USE PREVENTION AND CONTROL (Sec. 142A.3) David Carlyle, Ames Sharon Wellendorf, Ida Grove	05/01/2004 – 04/30/2007 05/01/2004 – 04/30/2007
DIRECTOR OF THE IOWA DEPARTMENT OF TRANSPORTATION (Sec. 307.11) Mark Wandro, Urbandale	05/01/2004 – Pleasure of the Governor
STATE TRANSPORTATION COMMISSION (Sec. 307.3) Suzan Boden, Sioux City Barbara Mac Gregor, Mason City	05/01/2004 – 04/30/2008 05/01/2004 – 04/30/2008
COMMISSION OF VETERANS AFFAIRS (Sec. 35A.2) Arthur Dayton, Webster City Darlene McMartin, Hancock Steven Mulcahy, Ottumwa	05/01/2004 – 04/30/2007 05/01/2004 – 04/30/2008 05/01/2004 – 04/30/2007
IOWA BOARD OF VETERINARY MEDICINE (Sec. 169.5) Earl Goerdt, Dyersville	05/01/2004 – 04/30/2007
VISION IOWA BOARD (Sec. 15F.102) Lorna Burnside, Storm Lake Gregg Connell, Shenandoah Mike Edwards, Burlington Cathy Reece, Chariton	05/01/2004 – 04/30/2007 05/01/2004 – 04/30/2007 05/01/2004 – 04/30/2007 05/01/2004 – 04/30/2006
COMMISSION ON THE STATUS OF WOMEN (Sec. 216A.52-53) Angelica Cardenas-Chaisson, Des Moines Francis Giunta, Dubuque Holly Mennen-Sagar, Des Moines Kimberly Painter, Iowa City Michael Whitlatch, Storm Lake	05/01/2004 – 04/30/2006 05/01/2004 – 04/30/2008 05/01/2004 – 04/30/2008 05/01/2004 – 04/30/2008 05/01/2004 – 04/30/2008
DIRECTOR OF THE IOWA DEPARTMENT OF WORKFORCE DEVELOPMENT (Sec. 84A.1) Richard Running, Des Moines	05/01/2004 – Pleasure of the Governor
IOWA WORKFORCE DEVELOPMENT BOARD (Sec. 84A.1A) Rosa Bailey, Sioux City Jean Logan, Sioux City Ken Sagar, Des Moines	05/01/2004 – 04/30/2008 05/01/2004 – 04/30/2008 05/01/2004 – 04/30/2008

The appointments were referred to the committee on **Rules and Administration**.

GOVERNOR'S DEFERRAL LETTERS

The following letters from the Governor were received in the office of the Secretary of the Senate on March 15, 2004:

Pursuant to Iowa Code Section 2.32(4), the appointment for the IowAccess Advisory Council vacancy, formerly held by Craig Hiemstra, is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Examiners for Massage Therapy vacancy, formerly held by Robert Buchanan, is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Mental Health and Developmental Disabilities Commission vacancy, formerly held by Brian Ridler, is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Renewable Fuels and Coproducts Advisory Committee vacancy, formerly held by JoAnn Brincks, is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Social Work Examiners vacancy, formerly held by Janice McCoy, is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Commission on the Status of Women vacancy, formerly held by Judge Brown, is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Commission of Veterans Affairs vacancy, formerly held by Larry Bowden, is being deferred because no appropriate candidate has been found for this position at this time.

Sincerely,
THOMAS J. VILSACK
Governor

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Victoria Buick, Red Oak—For winning the Governor's 14th Annual Youth Art Show. Senator Angelo (3/16/04).

Charles City Comets Girls' Basketball Team—For being Class 3A Runners-Up and for being awarded the Class 3A Sportsmanship Trophy at the 2004 Girls' Basketball Tournament. Senator Ragan (3/17/04).

Rachael Collier, Burlington—For winning second place at the Iowa Junior Science and Humanities Symposium. Senator Courtney (3/16/04).

Lexie Holmgren, Red Oak—For having an entry accepted for the Governor's 14th Annual Youth Art Show. Senator Angelo (3/16/04).

Iowa City West High School, Iowa City—For winning the All-Iowa High School Forensic League Championship. Senator Dvorsky (3/6/04).

Jacob Krapf, New Vienna—For serving honorably in Iraq as part of the Operation Iraqi Freedom. Senator Hosch (3/15/04).

Sandi Zaiser, Logan—For your dedication to teaching and helping to make a difference in every student's life. Senators Seymour and Boettger (3/22/04).

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 16, 2004, 1:05 p.m.

Members Present: Behn, Chair; Wieck, Vice Chair; Warnstadt, Ranking Member; Bolkom, Brunkhorst, Gronstal, Kettering, Lundby, Putney, Schuerer, Sievers, and Stewart.

Members Absent: Beall, McCoy, and Redfern (all excused).

Committee Business: Passed [HF 2373](#).

Adjourned: 1:10 p.m.

ECONOMIC GROWTH

Convened: March 16, 2004, 3:00 p.m.

Members Present: Rehberg, Chair; Shull, Vice Chair; Hatch, Ranking Member; Beall, Boettger, McKinley, Putney, Ragan, Seymour, Veenstra, and Ward.

Members Absent: Dotzler and Stewart (both excused).

Committee Business: Presentation regarding the Greater Des Moines Community Foundation.

Adjourned: 3:35 p.m.

LOCAL GOVERNMENT

Convened: March 16, 2004, 2:05 p.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Quirnbach, Ranking Member; Angelo, Hosch, Kettering, Kreiman, McCoy, Rehberg, Seymour, and Stewart.

Members Absent: Hatch and Houser (both excused).

Committee Business: Subcommittee assignment.

Adjourned: 2:10 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 16, 2004, 3:05 p.m.

Members Present: Johnson, Vice Chair; Seng, Ranking Member; Black, Bolkom, Brunkhorst, Dearden, Drake, Holveck, Kettering, Kibbie, Lundby, Miller, Redfern, and Zieman.

Members Absent: Houser, Chair (excused).

Committee Business: Passed HFs 2281 (as amended), 2282, and 2351 and presentation regarding NRCS.

Adjourned: 3:40 p.m.

RULES AND ADMINISTRATION

Convened: March 16, 2004, 8:35 a.m.

Members Present: Iverson, Chair; Lamberti, Vice Chair; Gronstal, Ranking Member; Boettger, Courtney, Drake, Dvorsky, Gaskill, Sievers, and Wieck.

Members Absent: Ragan (excused).

Committee Business: Passed [SCR 114](#) and [SR 130](#).

Adjourned: 8:40 a.m.

STATE GOVERNMENT

Convened: March 16, 2004, 2:05 p.m.

Members Present: Zieman, Chair; Sievers, Vice Chair; Kibbie, Ranking Member; Black, Connolly, Courtney, Dearden, Drake, Johnson, Ragan, Schuerer, Shull, Veenstra, and Ward.

Members Absent: Tinsman (excused).

Committee Business: Passed [SF 2225](#), and HFs 2167, 2318, 2452, and 2467.

Adjourned: 2:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: March 16, 2004, 9:55 a.m.

Members Present: Gaskill, Chair; Black, Ranking Member; Seng, and Seymour.

Members Absent: Houser, Vice Chair (excused).

Committee Business: Discussed the Department of Agriculture and Natural Resources' budget request with Patty Judge, Secretary of Agriculture.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: March 16, 2004, 10:05 a.m.

Members Present: McKinley, Chair; Behn, Vice Chair; Dotzler, Ranking Member; Putney and Quirmbach.

Members Absent: None.

Committee Business: Reviewed proposed committee bill.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: March 16, 2004, 10:05 a.m.

Members Present: Shull, Chair; Boettger, Vice Chair; Horn, Ranking Member; Kibbie and Schuerer.

Members Absent: None.

Committee Business: Reviewed target plan for committee bill.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: March 16, 2004, 10:00 a.m.

Members Present: Miller, Chair; Fraise, Ranking Member; and Hosch.

Members Absent: Angelo, Vice Chair; and Kreiman.

Committee Business: Discussed committee shell bills.

Adjourned: 10:15 a.m.

SUBCOMMITTEE ASSIGNMENTS

[Senate Concurrent Resolution 114](#)

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Lamberti

[House File 2241](#)

EDUCATION: Hosch, Chair; Behn and Connolly

[House File 2394](#)

EDUCATION: Rehberg, Chair; Boettger and Holveck

[House File 2418](#)

EDUCATION: Redfern, Chair; Boettger and Dvorsky

[House File 2460](#)

EDUCATION: Brunkhorst, Chair; Beall and Behn

[House File 2476](#)

AGRICULTURE: Zieman, Chair; Johnson and Seng

[House File 2490](#)

COMMERCE: Schuerer, Chair; Brunkhorst and Stewart

[House File 2496](#)

STATE GOVERNMENT: Ragan, Chair; Schuerer and Tinsman

[House File 2497](#)

STATE GOVERNMENT: Shull, Chair; Kibbie and Sievers

AFTERNOON SESSION

The Senate reconvened at 4:02 p.m., President Lamberti presiding.

The Senate stood at ease at 4:03 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:12 p.m., President Lamberti presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Redfern, until he returns, on request of Senator Ward.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2234 and 2150.

[Senate File 2234](#)

On motion of Senator Miller, [Senate File 2234](#), a bill for an act relating to child custody and visitation provisions, was taken up for consideration.

Senator Miller moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2234](#)), the vote was:

Yeas, 34:

Angelo	Horn	McCoy	Shull
Behn	Hosch	McKibben	Sievers
Black	Houser	McKinley	Tinsman
Boettger	Iverson	Miller	Veenstra
Brunkhorst	Johnson	Putney	Ward
Courtney	Kettering	Rehberg	Wieck
Dotzler	Kibbie	Schuerer	Zieman

Drake	Lamberti	Seng
Gaskill	Lundby	Seymour

Nays, 14:

Beall	Dvorsky	Holveck	Stewart
Bolkcom	Fraise	Kreiman	Warnstadt
Connolly	Gronstal	Quirnbach	
Dearden	Hatch	Ragan	

Absent, 2:

Larson	Redfern
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2150

On motion of Senator Veenstra, [Senate File 2150](#), a bill for an act providing for termination of parental rights of a parent convicted of felony physical or sexual abuse of a child in the parent's or child's household, was taken up for consideration.

Senator Veenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2150](#)), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Schuerer
Beall	Fraise	Kreiman	Seng
Behn	Gaskill	Lamberti	Seymour
Black	Gronstal	Lundby	Shull
Boettger	Hatch	McCoy	Sievers
Bolkcom	Holveck	McKibben	Stewart
Brunkhorst	Horn	McKinley	Tinsman
Connolly	Hosch	Miller	Veenstra
Courtney	Houser	Putney	Ward
Dearden	Iverson	Quirnbach	Warnstadt
Dotzler	Johnson	Ragan	Wieck
Drake	Kettering	Rehberg	Zieman

Nays, none.

Absent, 2:

Larson	Redfern
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2284](#).

[Senate File 2284](#)

On motion of Senator Shull, [Senate File 2284](#), a bill for an act relating to the establishment of a regional transit district within the unincorporated areas of certain counties and within certain cities, requiring creation of a regional transit district commission, authorizing the voluntary imposition of a regional transit property tax levy, and providing for the issuance of general obligation bonds and revenue bonds, was taken up for consideration.

Senator Shull moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2284](#)), the vote was:

Yeas, 47:

Angelo	Dvorsky	Kibbie	Seng
Beall	Fraise	Lamberti	Seymour
Behn	Gaskill	Lundby	Shull
Black	Gronstal	McCoy	Sievers
Boettger	Hatch	McKibben	Stewart
Bolkcom	Holveck	McKinley	Tinsman
Brunkhorst	Horn	Miller	Veenstra
Connolly	Hosch	Putney	Ward
Courtney	Houser	Quirnbach	Warnstadt
Dearden	Iverson	Ragan	Wieck
Dotzler	Johnson	Rehberg	Zieman
Drake	Kettering	Schuerer	

Nays, 1:

Kreiman

Absent, 2:

Larson Redfern

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2150, 2234, and 2284** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION
(Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House Concurrent Resolution 104](#).

[House Concurrent Resolution 104](#)

On motion of Senator Angelo, [House Concurrent Resolution 104](#), a concurrent resolution urging state employee unions and the Governor to renegotiate and establish a pay freeze for the fiscal year beginning July 1, 2004, with report of committee recommending passage, was taken up for consideration.

Senator Fraise offered amendment [S-5091](#), filed by Senator Fraise, et al., on March 15, 2004, to pages 1–3 of the resolution, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5091](#) be adopted?” ([H.C.R. 104](#)), the vote was:

Yeas, 22:

Beall	Dotzler	Horn	Seng
Black	Dvorsky	Kibbie	Stewart
Bolkcom	Fraise	Kreiman	Warnstadt
Connolly	Gronstal	McCoy	Zieman
Courtney	Hatch	Quirnbach	
Dearden	Holveck	Ragan	

Nays, 26:

Angelo	Houser	McKinley	Sievers
Behn	Iverson	Miller	Tinsman
Boettger	Johnson	Putney	Veenstra
Brunkhorst	Kettering	Rehberg	Ward
Drake	Lamberti	Schuerer	Wieck
Gaskill	Lundby	Seymour	
Hosch	McKibben	Shull	

Absent, 2:

Larson	Redfern
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Amendment [S-5091](#) lost.

Senator Angelo moved the adoption of [House Concurrent Resolution 104](#) and requested a record roll call.

On the question “Shall the resolution be adopted?” ([H.C.R. 104](#)), the vote was:

Yeas, 27:

Angelo	Houser	McKinley	Sievers
Behn	Iverson	Miller	Tinsman
Boettger	Johnson	Putney	Veenstra
Brunkhorst	Kettering	Rehberg	Ward
Drake	Lamberti	Schuerer	Wieck
Gaskill	Lundby	Seymour	Zieman
Hosch	McKibben	Shull	

Nays, 21:

Beall	Dotzler	Horn	Seng
Black	Dvorsky	Kibbie	Stewart
Bolkcom	Fraise	Kreiman	Warnstadt
Connolly	Gronstal	McCoy	
Courtney	Hatch	Quirnbach	
Dearden	Holveck	Ragan	

Absent, 2:

Larson	Redfern
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The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2280](#).

[Senate File 2280](#)

On motion of Senator Schuerer, [Senate File 2280](#), a bill for an act relating to the awarding of bonuses to appointed state officers and state employees and providing an effective date, was taken up for consideration.

Senator Schuerer offered amendment [S-5098](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5098](#) was adopted by a voice vote.

Senator Schuerer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2280](#)), the vote was:

Yeas, 40:

Angelo	Horn	McKibben	Seymour
Beall	Hosch	McKinley	Shull
Behn	Houser	Miller	Sievers
Boettger	Iverson	Putney	Stewart
Brunkhorst	Johnson	Quirnbach	Tinsman
Courtney	Kettering	Ragan	Veenstra
Drake	Kibbie	Redfern	Ward
Fraise	Kreiman	Rehberg	Warnstadt
Gaskill	Lamberti	Schuerer	Wieck
Gronstal	Lundby	Seng	Zieman

Nays, 9:

Black	Dearden	Hatch
Bolkcom	Dotzler	Holveck
Connolly	Dvorsky	McCoy

Absent, 1:

Larson

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2145](#).

[Senate File 2145](#)

On motion of Senator Kettering, [Senate File 2145](#), a bill for an act relating to raising an ineffective assistance of counsel claim against an attorney in a criminal case on appeal, was taken up for consideration.

Senator Kettering asked and received unanimous consent that [House File 2325](#) be **substituted** for [Senate File 2145](#).

[House File 2325](#)

On motion of Senator Kettering, [House File 2325](#), a bill for an act relating to raising an ineffective assistance of counsel claim against an attorney in a criminal case on appeal, was taken up for consideration.

Senator Kettering moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2325](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Lundby	Shull
Behn	Gronstal	McCoy	Sievers
Black	Hatch	McKibben	Stewart
Boettger	Holveck	McKinley	Tinsman
Bolkcom	Horn	Miller	Veenstra
Brunkhorst	Hosch	Putney	Ward
Connolly	Houser	Quirnbach	Warnstadt
Courtney	Iverson	Ragan	Wieck
Dearden	Johnson	Redfern	Zieman

Dotzler	Kettering	Rehberg
Drake	Kibbie	Schuerer
Dvorsky	Kreiman	Seng

Nays, none.

Absent, 1:

Larson

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Kettering asked and received unanimous consent that [Senate File 2145](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate File 2280](#), [House Concurrent Resolution 104](#), and [House File 2325](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2281](#).

[Senate File 2281](#)

On motion of Senator Kettering, [Senate File 2281](#), a bill for an act relating to the temporary absence of an elected local government official on active military duty and the appointment of a temporary replacement and providing an effective date, was taken up for consideration.

Senator Kettering withdrew amendment [S-5099](#), filed by him from the floor to page 1 of the bill.

Senator Kettering offered amendment [S-5102](#), filed by him from the floor to page 1 and to the title page of the bill, and moved its adoption.

Amendment [S-5102](#) was adopted by a voice vote.

Senator Kettering asked and received unanimous consent that [House File 2340](#) be **substituted** for [Senate File 2281](#).

[House File 2340](#)

On motion of Senator Kettering, [House File 2340](#), a bill for an act relating to the temporary absence of an elected local government official on active military duty and the appointment of a temporary replacement and providing an effective date, was taken up for consideration.

Senator Kettering offered amendment [S-5100](#), filed by him from the floor to page 1 and to the title page of the bill, and moved its adoption.

Amendment [S-5100](#) was adopted by a voice vote.

Senator Kettering moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2340](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Lundby	Shull
Behn	Gronstal	McCoy	Sievers
Black	Hatch	McKibben	Stewart
Boettger	Holveck	McKinley	Tinsman
Bolkcom	Horn	Miller	Veenstra
Brunkhorst	Hosch	Putney	Ward
Connolly	Houser	Quirnbach	Warnstadt
Courtney	Iverson	Ragan	Wieck
Dearden	Johnson	Redfern	Zieman
Dotzler	Kettering	Rehberg	
Drake	Kibbie	Schuerer	
Dvorsky	Kreiman	Seng	

Nays, none.

Absent, 1:

Larson

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Kettering asked and received unanimous consent that [Senate File 2281](#) be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2243 and 2154.

[Senate File 2243](#)

On motion of Senator Redfern, [Senate File 2243](#), a bill for an act relating to the transfer and apportionment of district associate judges and to the qualifications of magistrates, and providing for a study, was taken up for consideration.

Senator Redfern offered amendment [S-5073](#), filed by him on March 10, 2004, to pages 2, 5, and to the title page of the bill, and moved its adoption.

Amendment [S-5073](#) was adopted by a voice vote.

Senator Redfern moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2243](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Lundby	Shull
Behn	Gronstal	McCoy	Sievers
Black	Hatch	McKibben	Stewart
Boettger	Holveck	McKinley	Tinsman
Bolkcom	Horn	Miller	Veenstra
Brunkhorst	Hosch	Putney	Ward
Connolly	Houser	Quirnbach	Warnstadt
Courtney	Iverson	Ragan	Wieck
Dearden	Johnson	Redfern	Zieman
Dotzler	Kettering	Rehberg	
Drake	Kibbie	Schuerer	
Dvorsky	Kreiman	Seng	

Nays, none.

Absent, 1:

Larson

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

[Senate File 2154](#)

On motion of Senator Redfern, [Senate File 2154](#), a bill for an act relating to parties to whom traffic citations are issued for failure to obey school bus warning devices, was taken up for consideration.

Senator Quirnbach offered amendment [S-5066](#), filed by Senators Quirnbach and McCoy on March 9, 2004, striking and replacing everything after the enacting clause and to the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5066](#) be adopted?” ([S.F. 2154](#)), the vote was:

Yeas, 21:

Beall	Dotzler	Horn	Seng
Black	Dvorsky	Kibbie	Stewart
Bolkcom	Fraise	Kreiman	Warnstadt
Connolly	Gronstal	McCoy	

Courtney	Hatch	Quirnbach
Dearden	Holveck	Ragan

Nays, 28:

Angelo	Houser	McKinley	Shull
Behn	Iverson	Miller	Sievers
Boettger	Johnson	Putney	Tinsman
Brunkhorst	Kettering	Redfern	Veenstra
Drake	Lamberti	Rehberg	Ward
Gaskill	Lundby	Schuerer	Wieck
Hosch	McKibben	Seymour	Zieman

Absent, 1:

Larson

Amendment [S-5066](#) lost.

Senator Redfern offered amendment [S-5101](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment [S-5101](#) was adopted by a voice vote.

Senator Redfern moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2154](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Lundby	Shull
Behn	Gronstal	McCoy	Sievers
Black	Hatch	McKibben	Stewart
Boettger	Holveck	McKinley	Tinsman
Bolkcom	Horn	Miller	Veenstra
Brunkhorst	Hosch	Putney	Ward
Connolly	Houser	Quirnbach	Warnstadt
Courtney	Iverson	Ragan	Wieck
Dearden	Johnson	Redfern	Zieman
Dotzler	Kettering	Rehberg	
Drake	Kibbie	Schuerer	
Dvorsky	Kreiman	Seng	

Nays, none.

Absent, 1:

Larson

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2154 and 2243** and [House File 2340](#) be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House Joint Resolution 2005](#).

[House Joint Resolution 2005](#)

On motion of Senator Iverson, [House Joint Resolution 2005](#), a joint resolution authorizing the temporary use and consumption of wine and beer in the State Capitol in conjunction with the 2004 Annual Meeting of the Midwestern Legislative Conference of the Council of State Governments, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

[House Joint Resolution 2005](#), a joint resolution authorizing the temporary use and consumption of wine and beer in the State Capitol in conjunction with the 2004 Annual Meeting of the Midwestern Legislative Conference of the Council of State Governments.

WHEREAS, the State of Iowa is honored to host the Midwestern Legislative Conference of the Council of State Governments in Des Moines, Iowa, on July 11 through 14, 2004; and

WHEREAS, this prestigious regional meeting offers an opportunity to develop and maintain contact among legislators, public officials, and the private sector from the states of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin; and

WHEREAS, social events are held in conjunction with the business sessions of this annual meeting, and Iowa's unique State Capitol is an optimal location for one of the social events for this national meeting; and

WHEREAS, wine and beer are customarily served as an accompaniment to the food and entertainment provided at such social events; and

WHEREAS, under 11 IAC 100.4(8), which prohibits the consumption of alcoholic beverages on the capitol complex, it is not possible to serve wine and beer at social events in the State Capitol; NOW THEREFORE,
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Notwithstanding 11 IAC 100.4(8) and any contrary provisions of chapter 123, prohibiting the use and consumption of alcoholic beverages in public places, wine and beer may be used and consumed within the State Capitol at a social event, to be held on or around July 13, 2004, hosted by the State of Iowa in conjunction with the 2004 Midwestern Legislative Conference of the Council of State Governments, if the person providing the food and beverages at the social event possesses the appropriate valid liquor control license. For the purposes of this section and section 123.95, the State Capitol is a private place.

On the question "Shall the resolution be adopted?" ([H.J.R. 2005](#)), the vote was:

Yeas, 46:

Angelo	Fraise	Lundby	Seymour
Beall	Gaskill	McCoy	Shull
Behn	Gronstal	McKibben	Sievers
Black	Hatch	McKinley	Stewart
Boettger	Horn	Miller	Tinsman
Bolkcom	Hosch	Putney	Veenstra
Connolly	Houser	Quirnbach	Ward
Courtney	Iverson	Ragan	Warnstadt
Dearden	Johnson	Redfern	Wieck
Dotzler	Kettering	Rehberg	Zieman
Drake	Kibbie	Schuerer	
Dvorsky	Lamberti	Seng	

Nays, 3:

Brunkhorst Holveck Kreiman

Absent, 1:

Larson

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Joint Resolution 2009](#).

[Senate Joint Resolution 2009](#)

On motion of Senator Iverson, [Senate Joint Resolution 2009](#), a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the 2004 Annual Meeting of the MidAmerican Chapter of the American Association of Law Librarians, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

[Senate Joint Resolution 2009](#), a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the 2004 Annual Meeting of the MidAmerican Chapter of the American Association of Law Librarians.

WHEREAS, the MidAmerican Chapter of the American Association of Law Librarians is a prestigious group representing information resource specialists in all areas of research in both the public and private sectors; and

WHEREAS, the annual meeting of the MidAmerican Chapter of the American Association of Law Librarians addresses the major issues facing libraries, staff, and library users at all levels; and

WHEREAS, wine is customarily served at social events for member participants attending the annual meeting; and

WHEREAS, under 11 IAC 100.4(8), which prohibits the consumption of alcoholic beverages on the capitol complex, it is not possible to serve wine at social events in the State Capitol;

NOW THEREFORE,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Notwithstanding 11 IAC 100.4(8) and any contrary provisions of chapter 123, prohibiting the use and consumption of alcoholic beverages in public places, wine may be used and consumed within the State Capitol at a social event, to be held on or around October 15, 2004, hosted by local membership committees in conjunction with the 2004 Annual Meeting of the MidAmerican Chapter of the American Association of Law Librarians, if the person providing the food and wine at the social event possesses the appropriate valid liquor control license. For the purposes of this section and section 123.95, the State Capitol is a private place.

On the question “Shall the resolution be adopted?” ([S.J.R. 2009](#)), the vote was:

Yeas, 47:

Angelo	Dvorsky	Lamberti	Seng
Beall	Fraise	Lundby	Seymour
Behn	Gaskill	McCoy	Shull
Black	Gronstal	McKibben	Sievers
Boettger	Hatch	McKinley	Stewart
Bolkcom	Horn	Miller	Tinsman
Brunkhorst	Hosch	Putney	Veenstra
Connolly	Houser	Quirnbach	Ward
Courtney	Iverson	Ragan	Warnstadt
Dearden	Johnson	Redfern	Wieck
Dotzler	Kettering	Rehberg	Zieman
Drake	Kibbie	Schuerer	

Nays, 2:

Holveck	Kreiman
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Absent, 1:

Larson

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate Joint Resolution 2009](#) and [House Joint Resolution 2005](#) be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 16, 2004, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2118](#), a bill for an act regarding public utility rights-of-way and providing an effective date.

[Senate File 2199](#), a bill for an act relating to residential landlord-tenant law, by making certain changes concerning family violence and domestic abuse.

ALSO: That the House has on March 16, 2004, **amended and passed** the following bill in which the concurrence of the House was asked:

[Senate File 2290](#), a bill for an act relating to economic development incentives under the new jobs and income program, the new capital investment program, and the enterprise zone program and providing an effective date. ([S-5108](#))

ALSO: That the House has on March 16, 2004, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2225](#), a bill for an act relating to the establishment of drainage and levee districts, and providing an effective date.

Read first time and referred to committee on **Local Government**.

[House File 2315](#), a bill for an act relating to agricultural conservation practices.

Read first time and referred to committee on **Agriculture**.

[House File 2395](#), a bill for an act creating the criminal offense of intellectual property counterfeiting, and providing a penalty.

Read first time and referred to committee on **Judiciary**.

[House File 2434](#), a bill for an act to update and modify the enhanced 911 emergency telephone communications system.

Read first time and **passed on file**.

[House File 2464](#), a bill for an act providing for the establishment and funding of an automated external defibrillator grant program, and providing an effective date.

Read first time and referred to committee on **Human Resources**.

[House File 2475](#), a bill for an act relating to persons doing business as swine dealers and persons engaged in the business of buying or selling feeder pigs and providing an effective date.

Read first time and referred to committee on **Agriculture**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hatch, until he returns, on request of Senator Gronstal.

HOUSE AMENDMENT CONSIDERED

[Senate File 2290](#)

Senator Veenstra called up for consideration [Senate File 2290](#), a bill for an act relating to economic development incentives under the new jobs and income program, the new capital investment program, and the enterprise zone program and providing an effective date, amended by the House in House amendment [S-5108](#), filed March 16, 2004.

Senator Veenstra moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Veenstra moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2290](#)), the vote was:

Yeas, 46:

Angelo	Fraise	Lundby	Seymour
Beall	Gaskill	McCoy	Shull
Behn	Gronstal	McKibben	Sievers
Black	Holveck	McKinley	Stewart
Boettger	Horn	Miller	Tinsman
Bolkcom	Hosch	Putney	Veenstra
Brunkhorst	Houser	Quirnbach	Ward
Connolly	Iverson	Ragan	Warnstadt
Courtney	Johnson	Redfern	Wieck
Dotzler	Kettering	Rehberg	Zieman
Drake	Kibbie	Schuerer	
Dvorsky	Lamberti	Seng	

Nays, 2:

Dearden	Kreiman
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Absent, 2:

Hatch	Larson
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate File 2290](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 7:23 p.m. until 8:30 a.m., Wednesday, March 17, 2004.

APPENDIX — 2

STUDY BILL RECEIVED

SSB 3166 Ways and Means

Proposing an amendment to the Constitution of the State of Iowa to require approval by vote of the people before certain tax or fee increases take effect.

SUBCOMMITTEE ASSIGNMENT

SSB 3166

WAYS AND MEANS: McKibben, Chair; Hosch and Stewart

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: [HOUSE FILE 2373](#), a bill for an act providing for the inapplicability of provisions regulating licensed real estate brokers and salespersons to auctioneers under specified circumstances, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Behn, Wieck, Warnstadt, Bolkcom, Brunkhorst, Gronstal, Kettering, Lundby, Putney, Schuerer, Sievers, and Stewart. Nays, none. Absent, 3: Beall, McCoy, and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: [HOUSE FILE 2281](#), a bill for an act relating to licensing of nonresident bait dealers.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5103](#).

Final Vote: Ayes, 13: Johnson, Seng, Black, Bolkcom, Brunkhorst, Dearden, Drake, Holveck, Kibbie, Lundby, Miller, Redfern, and Zieman. Nays, none. Absent, 2: Houser and Kettering.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2282](#), a bill for an act relating to the selling of bait by an aquaculture unit licensee.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Johnson, Seng, Black, Bolkcom, Brunkhorst, Dearden, Drake, Holveck, Kibbie, Lundby, Miller, Redfern, and Zieman. Nays, none. Absent, 2: Houser and Kettering.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2351](#), a bill for an act relating to enforcement of waste tire violations and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Johnson, Seng, Black, Bolkcom, Brunkhorst, Dearden, Drake, Holveck, Kibbie, Lundby, Miller, Redfern, and Zieman. Nays, none. Absent, 2: Houser and Kettering.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: [SENATE CONCURRENT RESOLUTION 114](#), a concurrent resolution honoring the Iowa State Fair in its sesquicentennial year.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Iverson, Lamberti, Gronstal, Boettger, Courtney, Drake, Dvorsky, Gaskill, Sievers, and Wieck. Nays, none. Absent, 1: Ragan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 130](#), a resolution honoring Haley Dunn.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Iverson, Lamberti, Gronstal, Boettger, Courtney, Drake, Dvorsky, Gaskill, Sievers, and Wieck. Nays, none. Absent, 1: Ragan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: [SENATE FILE 2225 \(SSB 3093\)](#), a bill for an act providing for negotiated rulemaking.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Zieman, Sievers, Drake, Johnson, Schuerer, Shull, Veenstra, and Ward. Nays, 6: Kibbie, Black, Connolly, Courtney, Dearden, and Ragan. Absent, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2167](#), a bill for an act to eliminate the inspections division of the department of inspections and appeals.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Zieman, Sievers, Kibbie, Black, Connolly, Courtney, Dearden, Drake, Johnson, Ragan, Schuerer, Shull, Veenstra, and Ward. Nays, none. Absent, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2318](#), a bill for an act relating to the filing of statements of organization or dissolution by a political or candidate's committee, and regulating campaign and other contributions.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Zieman, Sievers, Kibbie, Black, Connolly, Courtney, Dearden, Drake, Johnson, Ragan, Schuerer, Shull, Veenstra, and Ward. Nays, none. Absent, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2452](#), a bill for an act providing for licensure requirements relating to the practice of athletic training and increasing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Zieman, Sievers, Kibbie, Black, Connolly, Courtney, Dearden, Drake, Johnson, Ragan, Schuerer, Shull, Veenstra, and Ward. Nays, none. Absent, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2467](#), a bill for an act relating to the quorum requirement for the IowaAccess advisory council.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Zieman, Sievers, Kibbie, Black, Connolly, Courtney, Dearden, Drake, Johnson, Ragan, Schuerer, Shull, Veenstra, and Ward. Nays, none. Absent, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5096	S.F. 2290	Ken Veenstra
S-5097	S.F. 2070	House
S-5098	S.F. 2280	Neal Schuerer
S-5099	S.F. 2281	Steve Kettering
S-5100	H.F. 2340	Steve Kettering
S-5101	S.F. 2154	Donald B. Redfern
S-5102	S.F. 2281	Steve Kettering
S-5103	H.F. 2281	Natural Resources and Environment
S-5104	S.F. 2257	Steve Kettering
		Joe Bolkcom
S-5105	H.F. 2186	David Miller
S-5106	S.F. 2289	David Miller
S-5107	S.F. 2257	Steve Kettering
S-5108	S.F. 2290	House
S-5109	S.F. 2274	Keith A. Kreiman
S-5110	S.F. 2257	Steve Kettering